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January 20, 2015

Via ECF

Hon. Joseph F. Bianco
United States District Judge
United States District Court
100 Federal Plaza
Central Islip, New York 11722

**Re: Conway v. NuVasive, Inc.
2:14-cv-06390-JFB-ARL**

Dear Judge Bianco:

On behalf of plaintiff KEVIN CONWAY, and upon consultation and consent of defense counsel (Mr. Jackson from Bowman and Brooke, LLP) please be advised as follows:

Earlier today I contacted "Allison" in your chambers to advise the Court that the parties have come to an agreement to settle the instant action. Accordingly, the oral argument for the pending Motion to Dismiss scheduled for tomorrow, Wednesday, January 21, 2015 @ 1:00 pm will not be needed.

As I advised Allison, we are simply waiting for the final execution of the Release by Mr. Conway (which should occur in the next few days), and then we will forward the Stipulation for Voluntary Dismissal with Prejudice.

Thank you for your kind attention to this matter.

Very truly yours,



JEFFREY M. DONATO

JMD/jd